

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DERRICK FORD

APPELLANT,

**v.
LESLIE MURILLO**

RESPONDENT.

DOCKET NUMBER WD73866
DATE: March 27, 2012

Appeal From:

Jackson County Circuit Court
The Honorable Gregory B. Gillis, Judge

Appellate Judges:

Division Two: Gary D. Witt, Presiding Judge, Joseph M. Ellis, Judge and Mark D. Pfeiffer,
Judge

Attorneys:

Derrick Ford, Appellant Pro Se.

James Gerard Eftink, Raymore, MO, for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY

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WESTERN DISTRICT**

DERRICK FORD,

APPELLANT,

v.

LESLIE MURILLO,

RESPONDENT.

No. WD73866

Jackson County

Before Division Two: Gary D. Witt, Presiding Judge, Joseph M. Ellis, Judge and Mark D. Pfeiffer, Judge

Derrick Ford filed a petition for damages against Leslie Murillo concerning an engagement ring Ford gave to Murillo in anticipation of marriage. Ford sought damages for the value of the ring upon the end of the engagement. The Circuit Court of Jackson County issued a judgment in favor of Murillo and Ford now appeals.

APPEAL DISMISSED.

Division Two holds:

Rule 81.12(a) requires the appellant to provide this court with a legal file that contains all the evidence necessary for a resolution of the issues on appeal. Ford has failed to file a transcript of the proceedings below with this court and his failure to do so precludes our review.

Ex gratia, we note that at oral argument both parties agreed that the facts in the underlying trial were in dispute and that the result of the trial turned on which party the trial judge believed was responsible for breaking off the engagement. Ford argues that he should have been deemed more credible, but pursuant to this court's standard of review, such determinations are for the trial court. Accordingly, based on the arguments made in the briefs, had Ford provided this court with a transcript it is unlikely he would have been successful on appeal.

Regardless, because Ford has failed to file a transcript of the proceedings below with this court, our review is precluded and the case is dismissed.

Opinion by Gary D. Witt, Judge

March 27, 2012

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